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Docket No: 4015.3000 US1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William H. Hohenstein, Andrew Von Zadora-Gerlof, Ron De Corte  
Application No.: 10/031,375 Group Art Unit: 2841  
Filed: May 21, 2002 Examiner: Not Yet Assigned  
Confirmation No.: 9477  
Title: A Watch with Rotating Conical Bands and with Removable Objects

CERTIFICATE OF MAILING OR TRANSMISSION	
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9/15/04	<i>Rachel Meehan</i>
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RACHEL MEEHAN	
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☐ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☒ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☒ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application  
filewrapper. (Filed after payment of issue fee)

09/20/2004 MAHRED1 00000007 10031375

01 FC:1806

180.00 DP

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

(Applies to original applications (other than design) filed on or after May 29, 2000)

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in -§ 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☐ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.  
[The earlier application contains copies of the cited references.]
- ☒ The listed references were cited in the enclosed International Preliminary Examination Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.

- 3 -

The Examiner is requested to return a copy of the list of pending applications indicating which references were considered with the next office communication.

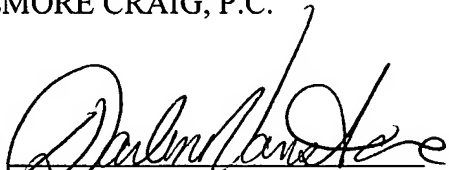
It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☒ [X] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ [ ] Please charge Deposit Account [ ] in the amount of [\$ ]. A copy of this Statement is enclosed.
- ☒ [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 502807.

Respectfully submitted,

ELMORE CRAIG, P.C.

By 

Darlene A. Vanstone

Registration No.: 35,729

Telephone: (978) 251-3509

Facsimile: (978) 251-3973

Chelmsford, MA 01863

Dated: 9/15/04



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- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
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- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
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[The earlier application contains copies of the cited references.]
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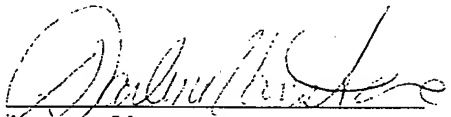
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Registration No.: 35,729

Telephone: (978) 251-3509

Facsimile: (978) 251-3973

Chelmsford, MA 01863

Dated: 9/15/07

PTO-1449 REPRODUCED  <b>SUPPLEMENTAL INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  September 13, 2004  (Use several sheets if necessary)	ATTORNEY DOCKET NO. 4015.3000 US1		APPLICATION NO. 10/031,375	
	FIRST NAMED APPLICANT William H. Hohenstein			
	FILING DATE May 21, 2002		CONFIRMATION NO. 9477	GROUP 2841

U.S. PATENT DOCUMENTS				
EXAM- INER INITIAL	REF. NO.	DOCUMENT NUMBER	ISSUE DATE / PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA	4,939,913	07-10-1990	Scungio <i>et al.</i>
	AB	5,412,625	05-02-1995	Duchek
	AC	5,694,378	12-02-1997	Totsuka
	AD	5,640,372	06-17-1997	Thackara

FOREIGN PATENT DOCUMENTS					
		DOCUMENT NUMBER	MM-DD-YYYY PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO
	AL				
	AM				
	AN				
	AO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

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EXAMINER	DATE CONSIDERED
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## PATENT COOPERATION TREATY

PCT

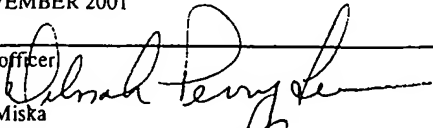

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## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 55178-012	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/19728	International filing date (day/month/year) 20 JULY 2000	Priority date (day/month/year) 20 JULY 1999
International Patent Classification (IPC) or national classification and IPC IPC(7): G04B 19/00 ; G04C 21/00 and US Cl.: 368/76, 223		
Applicant ZADORA TIMEPIECES, LLC		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>2</u> sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step or industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>

Date of submission of the demand 28 DECEMBER 2001	Date of completion of this report 05 NOVEMBER 2001
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer  V.W. Miska
Facsimile No. (703) 305-3230	Telephone No. (703) 308-3096  Deborah Perry-Leeper Paralegal Specialist



## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/19728

**I. Basis of the report**

## 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
pages \_\_\_\_\_ (See Attached) \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
pages \_\_\_\_\_ (See Attached) \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, as amended (together with any statement) under Article 19  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
pages \_\_\_\_\_ (See Attached) \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the sequence listing part of the description:  
pages \_\_\_\_\_ (See Attached) \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

## 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

## 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages \_\_\_\_\_ NONE \_\_\_\_\_
- ☒ the claims, Nos. \_\_\_\_\_ NONE \_\_\_\_\_
- ☒ the drawings, sheets/fig \_\_\_\_\_ NONE \_\_\_\_\_

5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\*Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US00/19728

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. statement**

Novelty (N)	Claims	<u>10, 11, 13-16</u>	YES
	Claims	<u>1-9, 12, 17-19</u>	NO
Inventive Step (IS)	Claims	<u>NONE</u>	YES
	Claims	<u>1-19</u>	NO
Industrial Applicability (IA)	Claims	<u>1-19</u>	YES
	Claims	<u>NONE</u>	NO

**2. citations and explanations (Rule 70.7)**

Claims 1-9, 12 and 17-19 lack novelty under PCT Article 33(2) as being anticipated by anticipated by the U.S. Patent to Chaut. The reference discloses timepiece 10 having concentric time indicating rotating bands 12-14 of various shapes, removable object 15 attached to the timepiece by means of stud 26.

The timepiece may be "wearable" in a broad sense, as the claims fail to specify any means for rendering the device wearable.

Claims 10, 11 and 13-16 lack an inventive step under PCT Article 33(3) as being obvious over Chaut. Use of a spring with a slot and hole to attach an object to a mounting surface via a stud is well known from various other fields, for example attaching components for rotation about a shaft or stud, in automobile components, toy accessories etc. One skilled in the art would be familiar with such techniques to removably mount object 15 to surface 14.

Claims 1-19 meet the criteria set out in PCT Article 33(4), because the device can be used in industry.

----- NEW CITATIONS -----

US 4,858,209 A (CHAUT) 15 August 1989 (15.08.1989), entire patent.

US 5,412,625 A (DUCHEK) 02 May 1995 (02.05.1995), entire patent.

US 5,640,372 A (THACKARA) 17 June 1997 (17.06.1997), entire patent.

US 4,939,913 A (SCUNGIO et al) 10 July 1990 (10.07.1990), entire patent.



Creation date: 10-15-2004  
Indexing Officer: NHARRINGTON - NATHANIEL HARRINGTON  
Team: OIPEBackFileIndexing  
Dossier: 10491504

Legal Date: 06-21-2004

No.	Doccode	Number of pages
1	IDS	3
2	FOR	10
3	FOR	27
4	FOR	14
5	FOR	28
6	FOR	49
7	FOR	188
8	NPL	4
9	NPL	15
10	NPL	5

Total number of pages: 343

Remarks:

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